



SIGAR

Office of the Special Inspector General
for Afghanistan Reconstruction

October 14, 2014

The Honorable Alan F. Estevez,
Principal Deputy Under Secretary of Defense for Acquisition, Technology and Logistics

The Honorable Paul D. Peters
Acting Assistant Secretary of Defense Logistics and Materiel Readiness

Dear Gentlemen:

I am writing you about the Department of Defense's ongoing effort to dispose of excess equipment at U.S. military bases in Afghanistan.¹ During a trip to Afghanistan earlier this year, I visited several military bases where I observed firsthand how the U.S. military organized and sorted excess equipment into lots for return to the United States, turnover to the Afghans, or in many cases, destruction into scrap metal. A recent Washington Post article indicated that equipment acquired at a cost of billions of U.S. taxpayer dollars is now being resold to Afghan merchants for a fraction of its original cost.²

In addition, GAO reported in December 2012 that DOD was unable to fully document how decisions regarding disposal of U.S. equipment in Afghanistan were made.³ GAO noted the primary disposal options for U.S. equipment: destroy the equipment in country; transfer the equipment to other DOD locations; or transfer the equipment to another U.S. agency or another country. None of the military services were able to provide GAO with documentation of the cost-benefit analyses used to make its decisions. According to a new GAO report DOD has taken some actions to address this finding by issuing guidance requiring cost comparisons to determine whether certain U.S. equipment in Afghanistan should be returned.⁴

In light of these observations and reports, I am seeking information regarding the process for disposing of excess equipment in Afghanistan, including the procedures governing which items are shipped out of Afghanistan, transferred to the Afghan government, scrapped, sold at auction, or disposed of by other means. Please provide the requested information and answers to the following questions:

¹ Excess equipment includes military armored and non-tactical vehicles, generators, housing containers, furniture, bulk excess equipment in operable condition and other items deemed Foreign Excess Personal Property (FEPP).

² Ernesto Londoño, "Pentagon Selling – And Scrapping – Equipment in Afghanistan," Washington Post, August, 4, 2014, p. 4.

³ U.S. Government Accountability Office, *Afghanistan Drawdown Preparations: DOD Decision Makers Need Additional Analyses to Determine Costs and Benefits of Returning Excess Equipment*, GAO-13-185R. Washington, DC: Government Accountability Office, December 19, 2012. <http://www.gao.gov> (accessed October 8, 2014).

⁴ U.S. Government Accountability Office, *Afghanistan Equipment Drawdown: Progress Made, but Improved Controls in Decision Making Could Reduce Risk of Unnecessary Expenditures*, GAO-14-768. Washington, DC: Government Accountability Office, September 30, 2014. <http://www.gao.gov> (accessed October 8, 2014).

1. Describe the disposal/disposition process as specifically applied to excess equipment in Afghanistan. Please provide all applicable written guidelines and procedures. If the process differs from those described in DOD Manual 4160.21-M, please specify the difference.
2. Is the disposal/disposition process being uniformly implemented at all U.S. installations in Afghanistan? If not, why not?
3. Has the DOD guidance, requiring cost comparisons to determine whether certain equipment should be returned from Afghanistan, addressed the deficiency identified by the GAO?⁵
4. What oversight measures are in place to ensure that excess equipment is not stolen or otherwise diverted to unauthorized recipients?
5. The Washington Post article indicated that the Afghan government intends to “collect tariffs on goods that were exempt from them when they arrived in the country.”⁶
 - a. Is the Afghan government imposing taxes, tariffs, or other fees in connection with the disposal of excess property in Afghanistan?⁷ If so, please provide a full description of the mechanisms used by the Afghan government to collect such taxes, tariffs, or other fees.
 - b. Who is responsible for paying Afghan taxes, tariffs, or other fees associated with the disposal of excess equipment?
 - c. If the U.S. is making these payments, what does DOD estimate the U.S. will pay for such taxes, tariffs, and fees in FY 2015?

I am making this request pursuant to my authority under Public Law No. 110-181, as amended, and the Inspector General Act of 1978, as amended. Please provide this information no later than October 28, 2014, to Jack Mitchell, Director of the Office of Special Projects. Please do not hesitate to contact him at [REDACTED] or [REDACTED] if you have any further questions.

Sincerely,



John F. Sopko
Special Inspector General
for Afghanistan Reconstruction

⁵ *Id.*

⁶ Londoño, p. 5.

⁷ Negotiations between the U.S. Military and the Afghan Ministry of Finance to establish a mechanism for the collection of tariffs on goods previously exempt from them customs taxation when they arrived in Afghanistan, *Id.*

CC: General Lloyd J. Austin III
Commander, U.S. Central Command

General John F. Campbell
Commander, U.S. Forces–Afghanistan and
Commander, International Security Assistance Force

Vice Adm. Mark D. Harnitchek
Director, Defense Logistics Agency



ACQUISITION,
TECHNOLOGY,
AND LOGISTICS

PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE

3015 DEFENSE PENTAGON
WASHINGTON, DC 20301-3015

OCT 31 2014

The Honorable John Sopko
Special Inspector General for Afghanistan Reconstruction
1550 Crystal Drive, 9th Floor
Arlington, VA 22202

Dear Mr. Sopko:

Thank you for your October 14, 2014, letter requesting information regarding the process for disposing of excess equipment in Afghanistan, including the procedures governing which items are shipped out of Afghanistan, transferred to the Afghan government, scrapped, sold at auction, or disposed of by other means. Specific responses to your questions are enclosed.

Your interest in the disposal of excess equipment is appreciated, and I look forward to our continued work together on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan F. Estevez", is written over the typed name.

Alan F. Estevez

Enclosures:
As stated

1. Describe the disposal/disposition process as specifically applied to excess equipment in Afghanistan. Please provide all applicable written guidelines and procedures. If the process differs from those described in DOD Manual 4160.21-M, please specify the difference.

Department of Defense (DoD) Response: On August 5, 2013, I issued the attached memorandum, "Consolidated Guidance on Equipment Retrograde and Disposition." The memorandum provides tailored guidance for disposition of equipment used in support of operations in Afghanistan. The memorandum is organized into three sections: (1) Guidance for disposition of military equipment; (2) Guidance for disposition of installation property; and (3) Guidance for disposition of non-standard equipment. Within each section, priorities for disposition of equipment are provided.

Equipment that is still required to meet current and future military needs is returned to the United States or to an alternate location determined by the Military Services. Equipment that is no longer needed or is cost-prohibitive to transport (i.e., the transportation cost exceeds replacement value) is made available under various authorities to the Government of the Islamic Republic of Afghanistan and other partner nations to advance national security and foreign policy interests.

The Consolidated Guidance follows the same basic four-step process (reutilization, transfer, donation, and sale) described in DoD 4160.21-M, "Defense Materiel Disposition Manual," in order to maximize stewardship of taxpayer-funded equipment and supplies. However, the Consolidated Guidance clarifies and expands upon the guidance of DoD 4160.21-M to address the unique situation where U.S. Forces – Afghanistan (USFOR-A) is responsible for conducting reutilization, transfer, and donation screening while the Defense Logistics Agency (DLA) remains responsible for conducting sales of both scrap and usable property. Once the equipment is transferred to DLA, no further screening for reutilization, transfer, or donation is necessary. Another difference is that the Consolidated Guidance allows USFOR-A to determine screening timelines based on operational considerations.

Additional guidance on transfers of foreign excess personal property (FEPP) is contained in the attached memoranda:

- May 11, 2011, "Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) in Afghanistan," provides USFOR-A initial delegation of authority to transfer FEPP to the Government of the Islamic Republic of Afghanistan (GIROA), as well as conditions for transfers;
- June 4, 2012, "Authority to Transfer Foreign Excess Personal Property (FEPP) from Afghanistan to Other Countries in Central Asia," provides authority to transfer FEPP to Central Asian countries and other countries identified by U.S. Central Command;
- July 31, 2012, "Request for Pre-Approval of Excess Declaration of Non-Standard Equipment," provides authority to transfer certain non-standard base support equipment to the GIROA without additional screening;

- September 27, 2012, "Authority to Transfer Armored Non-Tactical Vehicles to Afghanistan," provides authority to transfer up to 2,000 armored non-tactical vehicles as FEPP to the GIRoA based on approved license from Department of Commerce;
- May 7, 2013, "Request Authority to Waive 'Where-Is' Provision of 'As-Is, Where-Is' Foreign Excess Personal Property Policy for Class VIII Medical Supplies in Afghanistan," provides authority for limited transport of class VIII medical supplies on a space available or other basis at no additional cost to DoD;
- July 11, 2013, "Transfer of Needed Class IX Repair Parts to the Government of the Islamic Republic of Afghanistan," provides guidance on transfer of class IX repair parts under both FEPP and foreign military sales authorities;
- July 16, 2013, "Request to Adjust Tiered Delegation of Authority for Foreign Excess Personal Property in Afghanistan," adjusts the minimal approval authority for transfer of FEPP to the GIRoA;
- December 19, 2013, "Request for Pre-Approval of Excess Expendable Class VIII Medical Supplies," provides authority to transfer expendable class VIII medical supplies to the GIRoA without additional screening;
- April 11, 2014, "Authorization to Waive the Requirement to Document the Estimated Depreciated Value of Foreign Excess Personal Property on the Signed Joint Inventory for Transfers to the Government of the Islamic Republic of Afghanistan," authorizes USFOR-A to waive the requirement to document the depreciated value of FEPP on the signed joint inventory in instances where the designated representative of the GIRoA declines to sign the signed joint inventory listing the estimated depreciated value of the items;
- May 28, 2014, "Authorization to Transfer up to 100 Ten-Meter Dynatowers as Foreign Excess Personal Property to the Government of the Islamic Republic of Afghanistan," provides authority to transfer up to 100 armored guard towers to the GIRoA based on approval by Department of State;
- August 19, 2014, "Request to Adjust Tiered Delegation of Authority for Foreign Excess Personal Property in Afghanistan," provides authority to USFOR-A to approve transfers of FEPP at an increased dollar value threshold for Shindand, Leatherneck, Bagram, and Kandahar; and
- September 4, 2014, "Request to Transport T-Walls in Kandahar Province for Donation to the Afghan National Security Forces," provides authority to transport T-walls when the cost to transport T-walls to the nearest disposal site and dispose of them would exceed the cost to transport the T-walls to an alternate location designated by the GIRoA.

2. Is the disposal/disposition process being uniformly implemented at all U.S. installations in Afghanistan? If not, why not?

DoD Response: Yes. The Consolidated Guidance on Equipment Retrograde and Disposition applies to, and provides direction with respect to, all DoD equipment and supplies in Afghanistan, and it was issued to each of the Military Services, each geographic combatant commander, the Joint Staff, DLA, the Defense Contract Management Agency, Defense Security Cooperation Agency, and the Combined Security Transition Command – Afghanistan.

USFOR-A executes the guidance through a single theater FEPP manager assigned to the USFOR-A Fusion Cell. The USFOR-A FEPP manager disseminates the guidance to FEPP managers located at each of the Regional Commands and reviews all FEPP packages for consistency and adherence to policy.

3. Has the DOD guidance, requiring cost comparisons to determine whether certain equipment should be returned from Afghanistan, addressed the deficiency identified by the GAO?

DoD Response: Yes. The Consolidated Guidance on Equipment Retrograde and Disposition directs the Military Departments to conduct a readiness assessment on the military equipment, as well as a cost comparison to determine if the military equipment should be retrograded. The cost comparison compares the replacement value of the military equipment to the retrograde transportation cost. Additionally, USFOR-A conducts a cost-benefit analysis as part of the FEPP packet process in order to document the acquisition and fair market values of property being transferred to the GIRoA with the estimated transportation costs if retrograded. The documentation and vetting processes are reviewed periodically in order to ensure consistency and policy compliance. The most recent review was conducted in May 2014 by the U.S. Army Audit Agency at the request of USFOR-A.

This Consolidated Guidance on Equipment Retrograde and Disposition reinforces DoD policy contained in DoD Instruction 4140.01, “DoD Supply Chain Materiel Management Policy,” that “all costs associated with materiel management, including acquiring, distributing, transporting, storing, maintaining, and disposing, shall be considered in making best value decisions throughout the DoD supply chain.” The Military Departments may consider multiple factors in their decision making, such as condition of equipment, obsolescence, reset/repair costs, future sustainment costs, future service readiness requirements, and transportation costs.

4. What oversight measures are in place to ensure that excess equipment is not stolen or otherwise diverted to unauthorized recipients?

DoD Response: Physical security prior to transfer of excess equipment is provided by USFOR-A. Excess equipment is typically processed through a retrosort yard, a retrograde processing assistance team (RPAT) yard or under the oversight of a unit commander, all of which are postured in controlled areas within a USFOR-A base.

Each transfer to the GIRoA requires the signature of the appropriate Afghan federal, provincial, or local government official. Equipment transferred to the GIRoA as FEPP is limited to demilitarization code A property, meaning that it is not listed on the Department of State Munitions List or the Department of Commerce Control List. Limited exceptions have been granted by the Department of State to transfer armored guard towers and by the Department of Commerce to transfer commercially armored sport utility vehicles. Once property has been signed over to the appropriate Afghan federal, provincial, or local official, there is no oversight measure to prevent the subsequent diversion of demilitarization code A property.

The GIRoA will provide all required end-user assurances for defense articles transferred as Excess Defense Articles (EDA) pursuant to 22 U.S.C. §2321j. Additionally, all defense articles transferred as EDA will be subject to post-delivery end-use monitoring as stated in the transfer agreements and as established by DoD end use monitoring policy.

5. The Washington Post article indicated that the Afghan government intends to "collect tariffs on goods that were exempt from them when they arrived in the country."

a. Is the Afghan government imposing taxes, tariffs, or other fees in connection with the disposal of excess property in Afghanistan? If so, please provide a full description of the mechanisms used by the Afghan government to collect such taxes, tariffs, or other fees.

DoD Response: The Afghan government is not imposing taxes, tariffs, or other fees on the United States in connection with the disposal of excess property in Afghanistan.

b. Who is responsible for paying Afghan taxes, tariffs, or other fees associated with the disposal of excess equipment?

DoD Response: Local Afghan vendors are responsible for paying any customs duties, fees, and related taxes when purchasing excess white goods that are sold by DoD. I have attached the "ISAF and/or US-DLA and Afghan Customs Department Joint Agreement on Procedure for Customs Release of White Goods," signed by the Afghan Deputy Minister of Finance, the Afghan Customs Department Director General, the head of the ISAF Customs Coordination Cell, and the DLA Sales Contracting Officer.

c. If the U.S. is making these payments, what does DOD estimate the U.S. will pay for such taxes, tariffs, and fees in FY 2015?

DoD Response: The United States is not making any payments of Afghan taxes, tariffs, or other fees associated with the disposal of excess equipment.



ASSISTANT SECRETARY OF DEFENSE
3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3500

AUG 5 2013

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Consolidated Guidance on Equipment Retrograde and Disposition

The purpose of this memorandum is to consolidate Department of Defense (DoD) policy regarding the retrograde and disposition of equipment. Additionally, this memorandum provides tailored guidance for disposition of equipment used in support of operations in the U.S. Central Command (USCENTCOM) Combined/Joint Operations Area – Afghanistan (CJOA-A).

DoD's goal is to maximize stewardship of taxpayer funded equipment and supplies through retrograde, reutilization, transfer, donation, and sale. DoD will minimize the impact on operational forces while seeking to advance national security and foreign policy interests through participation in security cooperation programs that benefit international partners, particularly current and former coalition partners. The Military Departments will comply with this guidance for retrograde and disposition of equipment and supplies used in support of operations in the USCENTCOM CJOA-A. The Military Departments will develop supplemental guidance to implement this policy as appropriate.

This memorandum is organized into three sections, as follows: (1) Guidance for disposition of military equipment; (2) Guidance for disposition of installation property; and (3) Guidance for disposition of non-standard equipment.

Guidance for Disposition of Military Equipment:

For purposes of this memorandum, "military equipment" refers to standard equipment, located within the USCENTCOM CJOA-A, on a Military Department authorization document, as well as supplies with a national stock number. Guidance on disposition of non-standard equipment is contained later in this memorandum. Priority for disposition of serviceable military equipment is as follows: (1) Retrograde based on a readiness assessment and cost comparison; (2) Security cooperation transactions such as Excess Defense Articles (EDA) or Foreign Military Sales (FMS); (3) Transfer as foreign excess personal property (FEPP); and (4) Disposal. Guidance on each of these categories is provided below.

Nothing in this guidance is meant to preclude transfers of military equipment (including supplies) to the Government of the Islamic Republic of Afghanistan (GIROA) pursuant to the non-excess equipment authority in section 1222 of the National Defense Authorization Act (NDAA)

for Fiscal Year (FY) 13 (Public Law 112-239). Military Departments wishing to exercise this authority should coordinate with the Defense Security Cooperation Agency (DSCA).

1. Retrograde

The owning Military Department will screen military equipment (standard equipment and supplies with National Stock Numbers (NSNs)) against approved authorization documents or future requirements. If a valid requirement exists internal to the Military Department but outside of the CJOA-A, then the Military Department will conduct a readiness assessment on the military equipment, as well as a cost comparison to determine if the military equipment should be retrograded. The readiness assessment will consider the criticality of the equipment for meeting the Military Department's readiness objectives. The cost comparison will compare the replacement value of the military equipment to the retrograde transportation cost. The Military Department may choose to retrograde the military equipment based on either of these assessments. If a valid requirement exists in another Military Department, but outside the CJOA-A, that Military Department will conduct a readiness assessment and, based upon the assessment, accept title to and retrograde the military equipment. However, if no Military Department decides to retrograde the military equipment, the owning Military Department will make standard equipment available for security cooperation transactions or for transfer as FEPP. The owning Military Department may also make supplies with NSNs available for security cooperation transactions or for transfer as FEPP.

2. Security Cooperation Transactions (EDA or FMS)

If no Military Department requirements exist in theater or elsewhere, and the authority provided in section 1222 of the NDAA for FY 2013 is not exercised, the owning Military Department will declare military equipment excess to the DoD, and the standard equipment will then be offered, after coordination with DSCA, to eligible countries pursuant to 22 U.S.C. §2321j (section 516 of the Foreign Assistance Act of 1961, as amended (FAA), with regard to grant transfers of EDA) or 22 U.S.C. §2751, et seq, (FMS) on an "as-is, where-is" basis. Military Departments may also make supplies with NSNs available for security cooperation transactions using the procedures contained in this section. USCENTCOM in coordination with the Military Departments and U.S. National Support Element – Afghanistan (USNSE-A) may adjust the timelines specified below based on mission and operational requirements.

The Military Departments will work with DSCA on preliminary actions to match excess standard equipment with potential recipients as soon as possible. Specifically, the Military Departments will provide lists of potentially excess standard equipment, condition codes (if available), and availability timelines to DSCA. DSCA will then provide the Military Departments' standard equipment lists to security cooperation officers in order to gauge the

interest of prospective countries, and identify standard equipment items of high EDA potential. EDA potential is based on equipment-specific interest and equipment serviceability. Based on the high EDA potential, DSCA and the Military Departments will look for potential matches of standard equipment, and assist prospective countries with the development of letters of request (LORs).

Subsequent to the process described above, the Military Departments will provide the list of high EDA potential equipment to USNSE-A and issue disposition instructions to hold that equipment at USCENTCOM-designated locations for EDA processing. Equipment with low EDA potential may be transferred immediately to DLA for disposal.

In order to be in alignment with mission op tempo, LORs need to be completed no later than October 31, 2013; exceptions may be approved on a case by case basis. If an LOR is not established by October 31, 2013, the Military Department may transfer the standard equipment to the Defense Logistics Agency (DLA) for disposal. Upon completion of the LOR, the Military Department will continue to hold the standard equipment at USCENTCOM-designated locations pending establishment of the letter of offer and acceptance (LOA) and the coordination of shipment and delivery by the requesting country. Delivery should be completed no later than March 1, 2014. If the shipment and delivery are not executed by March 1, 2014, the Military Department may transfer the standard equipment to DLA for disposal. USCENTCOM in coordination with the Military Departments and USNSE-A may allow equipment to be held beyond March 1, 2014 based on mission and operational requirements.

Delivery options include using a freight forwarder (funded and arranged by the receiving country, typically on commercial airlift), an FMS case (funded by the receiving country, typically through the Defense Transportation System (DTS)), an acquisition and cross-servicing agreement (ACSA) (reimbursed by the receiving country, typically through the DTS), or as lift and sustain for authorized countries (funded by DoD using lift and sustain authorities).

3. Transfer as FEPP

Prior to transferring eligible standard equipment and supplies with NSNs to DLA for disposal, the Military Department may offer eligible equipment and supplies (i.e. demilitarization code "A") to USNSE-A for additional screening. FEPP transfer authority should be used to the maximum extent possible, provided that screening does not adversely affect drawdown timelines. USNSE-A will offer eligible standard equipment to the NATO Training Mission – Afghanistan (NTM-A) for potential transfer to the GIRoA pursuant to the FEPP transfer authority in 40 U.S.C. Chapter 7 (Foreign Excess Property). If the eligible standard equipment is not requested by NTM-A for transfer to the GIRoA, USNSE-A may offer the eligible standard equipment to coalition partners, surrounding Central Asian countries, or other countries identified by USCENTCOM, on

an “as-is, where-is” basis, using the delegated FEPP transfer authority in my memorandum of June 4, 2012, “Authority to Transfer Foreign Excess Personal Property from Afghanistan to Other Countries in Central Asia.” Receiving countries are responsible for arranging transportation as well as any necessary export and taxation agreements with GIRoA. USNSE-A may offer non-lethal items to the U.S. Agency for International Development (USAID) through the Department of State to meet humanitarian assistance needs inside or outside the USCENTCOM CJOA-A. All transfers of excess property to USAID will be made pursuant to 10 U.S.C. §§ 2557 and 2561, in coordination with DSCA. USNSE-A may also make serviceable, non-controlled medical and other equipment available to a qualifying non-profit medical or health organization at any time under 40 U.S.C. §703.

Guidance and direction contained in my memoranda of May 11, 2011, “Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) in Afghanistan,” January 23, 2012, “Tiered Delegation Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) as Part of Base Closures and Individual Equipment Transfers,” and July 16, 2013, “Request to Adjust Tiered Delegation of Authority for Foreign Excess Personal Property in Afghanistan” remain in effect. Unless otherwise indicated, all executed transfers must comply with policy guidance outlined in DoD 4160.21-M “Defense Materiel Disposition Manual”.

4. Disposal

If the equipment is not dispositioned through any of the methods described above, the Military Department will transfer the equipment to DLA with proper turn-in documentation. DLA will document receipt of the equipment in its property accountability system. Once the equipment is transferred to DLA, no further screening for reutilization, transfer, or donation is necessary. Property that has a possible residual value that would exceed the cost to process will be set aside for further evaluation and alternative disposition. DLA will review the segregated property to ensure that no U.S. Munitions List (USML) or Commerce Control List (CCL) items are released and will take appropriate actions to mutilate or demilitarize any such property in accordance with DoD 4160.28-M “Defense Demilitarization.” Once approval by the GIRoA Ministry of Finance (MoF) is obtained, DLA may sell non-USML and non-CCL items as usable property or scrap without mutilation. In the absence of such approval, DLA will continue to mutilate usable property and sell as scrap for the basic material content. International Security Assistance Force (ISAF) CJ4 in coordination with DLA and the U.S. Embassy will work with the GIRoA MoF to resolve any taxation issues related to local sales of property.

Guidance for Disposition of Installation Property:

For purposes of this memorandum, “installation property” refers to property procured for the purpose of base operations or contracted support functions, including contractor-managed,

Government-owned (CMGO) property and all associated supplies. Priority for disposition of installation property is as follows: (1) FEPP associated with base transfer or conveyance, (2) Reutilization by contracts in the CJOA-A, (3) Reutilization by other Military Departments and transfer to other Federal Agencies, (4) Transfer as FEPP (not associated with base transfer), and (5) Disposal. Guidance on each of these categories is provided below:

1. FEPP Associated with Base Transfer or Conveyance

Prior to the transfer or closure of a base, the Defense Contract Management Agency (DCMA) will direct contractors for DCMA-administered contracts to develop a property reallocation plan (PRP) for CMGO property in accordance with the priorities established in this memorandum. DCMA will maintain an archive of approved PRPs to support management analysis and audit readiness. The PRP will identify property that will transfer with the base, property that will be reutilized within the contract, and property that is considered excess. When a base is being transferred to the GIRoA, property necessary to keep the base functional will be offered to the GIRoA pursuant to 40 U.S.C. Chapter 7 (FEPP), and consistent with the guidance in my memoranda referred to above, dated May 11, 2011, January 23, 2012, and July 16, 2013, and my memorandum of July 31, 2012, "Request for Pre-Approval of Excess Declaration of Non-Standard Equipment."

If USCENTCOM determines it is in the best interest of the United States to convey a base to the GIRoA, USNSE-A is authorized to convey installation property necessary to keep the base functional, using the same pre-approval list as in my memorandum referred to above, dated July 31, 2012. Installation property may only be conveyed after any necessary demilitarization has been completed and certified, and when at least one of the following conditions is met:

- a. A determination that conveyance is proper for considerations of health, safety, security, or the environment. These findings will include a written statement from the pertinent official responsible in these areas of operation.
- b. Property cannot be reutilized, transferred, donated, or sold if prohibited by U.S. law, DoD policy, Military Department regulation, or relevant international agreements.
- c. Donation has been determined and documented to be infeasible. If, at any time before actual conveyance, donation of the property becomes feasible, the property will be donated, unless otherwise specifically prohibited.
- d. The property has no commercial value. "No commercial value" means the property has no utility or monetary value (either as an item or as scrap).
- e. Sale of the property is uneconomical. The estimated costs of continuing to care for and handle the property exceed the property's estimated sale proceeds, and the estimated cost of conveying the property is less than the estimated cost of the property's sale.

For audit purposes, USNSE-A will retain a list of all property conveyed as required by DoD Instruction 5000.64, "Accountability and Management of DoD-owned Equipment and Other Accountable Property." USNSE-A will forward a copy of this list monthly to the Deputy Assistant Secretary of Defense (DASD) for Supply Chain Integration (SCI), through appropriate channels.

2. Reutilization by Contracts in the CJOA-A

Installation property that is not transferred or conveyed with a base will be screened by the contractor for reutilization against other task orders under the same contract. If the property is not required under the current contract, DCMA will coordinate the screening of equipment with cognizant contracting authorities for potential reuse against other contracts in the USCENTCOM CJOA-A. If the property is not required for any contracts in the CJOA-A, or if it is not cost-effective to transport it to a new location, the contractor will transfer equipment to USNSE-A for additional screening, pursuant to the procedures described below.

3. Reutilization and Transfer

USNSE-A will screen the installation property with the Military Departments operating in the USCENTCOM CJOA-A for potential reutilization. USNSE-A will also screen the property with Federal Civil Agencies for potential transfer on an "as-is, where-is" basis. USNSE-A, after coordinating with DSCA, may offer non-lethal items to USAID through the Department of State to meet humanitarian assistance needs inside or outside of the USCENTCOM CJOA-A. All transfers of such property to USAID will be made pursuant to 10 U.S.C. §§ 2557 and 2561.

4. Transfer as FEPP (Not Associated with Base Transfer)

USNSE-A will offer remaining property to the GIRoA for potential transfer as FEPP. (NTM-A approval is not required for the transfer of installation property as FEPP to the GIRoA). USNSE-A may offer any remaining property to coalition partners, surrounding eligible Central Asian countries, and other countries identified by USCENTCOM using the delegation of FEPP authority in my memorandum referred to above, dated June 4, 2012. USNSE-A may also make serviceable, non-controlled medical and other equipment available to a qualifying non-profit medical or health organization at any time under 40 U.S.C. §703. FEPP transfer authority should be used to the maximum extent possible, provided that screening does not adversely affect drawdown timelines.

5. Disposal

Once all screening described above is completed, DLA will accept ownership of installation property (with proper turn-in documentation) either at one of its disposition sites in Afghanistan or on-site through an Expeditionary Disposal Remediation Team (EDRT). DLA will document receipt of the property in its property accountability system. Once the property is transferred to DLA, no further screening for reutilization, transfer, or donation is necessary. Property that has a possible residual value that would exceed the cost to process will be set aside for further evaluation and alternative disposition. DLA will review the segregated property to ensure that no USML or CCL items are released and will take appropriate actions to mutilate or demilitarize any such property in accordance with DoD 4160.28-M "Defense Demilitarization." Once approval by the GIRoA Ministry of Finance (MoF) is obtained, DLA may sell non-USML and non-CCL items as usable property or scrap without mutilation. In the absence of such approval, DLA will continue to mutilate usable property and sell as scrap for the basic material content. International Security Assistance Force (ISAF) CJ4 in coordination with DLA and the U.S. Embassy will work with the GIRoA MoF to resolve any taxation issues related to local sales of property.

Guidance for Disposition of Non-Standard Equipment

For purposes of this memorandum, "Non Standard Equipment (NS-E)" refers to commercially acquired or non-developmental equipment that is rapidly acquired and fielded outside of the normal planning, programming, budgeting, and execution and acquisition processes to bridge mission capability gaps to meet urgent warfighter or other unit requirements. NS-E is defined in two categories, tactical and non-tactical. Tactical NS-E is equipment obtained to support assigned mission capabilities or force protection through the Operational Needs Statement, Joint Urgent Operational Needs Statement, or by other providers such as the Rapid Equipping Force, Army Asymmetrical Warfare Office, Intelligence and Security Command, and/or Headquarters, Department of the Army G-2, and is funded by supplemental appropriations. Non-Tactical NS-E items are commercially available items purchased by units using International Merchant Purchase Agreement Card (IMPAC) or local purchase procedures to support administration, base operations functions, and garrison support services. Disposition instruction for NS-E in Afghanistan can be found in the Materiel Enterprise Nonstandard Equipment Database (MENS-E).

Although U.S. forces have greatly benefited from the access to rapid acquisition of newly emerging technologies and capabilities for Iraq and Afghanistan, we must be judicious in what we retain as an enduring capability. To that end, the Military Departments will evaluate the value to type classify NS-E in order to add these capabilities to authorization documents. This deliberate process should be similar to the process for new equipment acquisition. Evaluation factors will

include doctrine, operational application, training, manpower, logistics, and overall lifecycle costs. Maintenance and sustainment costs for NS-E identified as necessary to meet future force enduring requirements will be included in the valid funding requirements in the Department's base budget operation and maintenance requests. NS-E that is not necessary to meet future force enduring requirements will be divested in accordance with the disposition guidance provided above.

My point of contact is Mr. Randy Kendrick, SCI, at 703-692-0253 or randal.kendrick@osd.mil.



Alan F. Estevez

Distribution:

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SECRETARY OF THE NAVY
SECRETARY OF THE AIR FORCE
COMMANDANT OF THE MARINE CORPS
CDR, USCENTCOM
CDR, USEUCOM
CDR, USPACOM
CDR, USAFRICOM
CDR, USTRANSCOM
CDR, USSOUTHCOM
CDR, USSOCOM
CDR, USFOR-A
CDR, CSTC-A
CDR, USNSE-A
DIRECTOR, JOINT STAFF
DIRECTOR, DSCA
DIRECTOR, DLA
DIRECTOR, DCMA



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

MAY 11 2011

LOGISTICS AND
MATERIEL READINESS

MEMORANDUM FOR COMMANDING GENERAL, UNITED STATES FORCES-
AFGHANISTAN (USFOR-A)

SUBJECT: Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) in Afghanistan

This responds to your memorandum of February 26, 2011, which requested delegation of authority for United States Forces -Afghanistan (USFOR-A) to transfer foreign excess personal property (FEPP) to the Government of the Islamic Republic of Afghanistan (GIROA). I concur, in consideration of the operational environment and to further the mission in Operation Enduring Freedom (OEF), that in general, transferring FEPP to the GIROA is in the best interests of the United States.

I hereby delegate to the Commander, USFOR-A, and the Deputy Commander for Support, USFOR-A, the authority to determine that a transfer to the GIROA of specific property for substantial benefit is in the interest of the United States. This delegation applies only to property (1) no longer required by U.S. forces in theater; and (2) of a type for which retrograde outside theater is cost-prohibitive or infeasible given current in-country security and transportation problems. The authority for determining an item's status remains with the Military Department/Service that owns the item.

The USFOR-A-delegated authority may be used to transfer up to \$30M (depreciated value) of FEPP as part of any single transfer or closing of a Forward Operating Base (FOB), including, but not limited to, applicable Contingency Operating Bases (COB), Contingency Operating Sites (COS), and Contingency Operating Locations (COL).

In addition to the delegated authority above, the Commander, USFOR-A, or the Deputy Commander for Support, USFOR-A, is authorized to implement a tiered approval authority for FEPP transfers that are not a part of a transfer or closing of a base, site, or location, in accordance with the guidelines outlined below.

Individual Depreciated Value

\$0 - \$9,999.99
\$10,000 - \$49,999.99
\$50,000 - \$999,999.99

\$1,000,000.00 and above

Approval Authority

O-6 Level Commander
First GO in the Chain of Command
Commander or Deputy
Commander, Support
ASD(L&MR)

The depreciated values specified may be applied to transfers of a single item or multiple items, as long as the depreciated value of all the items to be transferred at any one place at one time (i.e., "per transaction") does not exceed the values specified above. The transfer authorities noted above are not restricted to transfers to the GIRoA and the Afghan National Security Forces (ANSF), but may also include transfers to other Afghan federal, provincial, or local governmental entities, as long as the U.S. Embassy concurs in the transfer to such other entities prior to signing the required transfer document (described below).

Each FEPP transfer to the GIRoA must be supported by a justification that concludes that the benefit to be gained by the United States will be tangible, appreciable, and commensurate with the value of the property authorized for transfer. **Attachment 1** provides statements of relevant factors to consider and evaluate when documenting substantial benefit to the U.S. Government.

Screening for possible U.S. Federal agency transfer or donation is waived with respect to FEPP transfers to the GIRoA, with the understanding that all transfers of property shall be subject to concurrence by the U.S. Embassy, Afghanistan. If the Embassy or Department of Defense (DoD) Components identify other potential U.S. Government activities with an interest in receiving the property, those activities shall be given priority over transfers to components of the GIRoA. It is anticipated that in the future the Department of State (DoS) will assume a larger role in the Afghanistan mission. USFOR-A will assess future DoS equipment requirements against all other property transfer requirements in theater. Property identified for potential DoS utilization will be segregated by USFOR-A. Storage capacity for equipment will be a determining factor in the volume of segregated property will be held for future DoS use.

Unless otherwise indicated, all executed transfers must continue to comply with policy guidance outlined in DoD 4160.21-M. Specifically, demilitarization and trade security control requirements continue to apply. Only equipment items coded with a Demilitarization Code of "A" may be transferred. This memorandum authorizes no exceptions for equipment listed on the U.S. Munitions List of the International Traffic in Arms Regulation, or "dual-use" items under the Commerce Control List of the Export Administration Regulation. Equipment identified on those lists continues to be restricted from transfer. All FEPP transfers must be documented by an arrangement, memorandum of understanding, or a similar document that identifies, at a minimum, the items and their estimated depreciated value, as well as their ultimate destination, use, and disposition. Such documentation must include a determination that individual transfers are in exchange for substantial benefits in accordance with 40 U.S.C. 704(b)(2)(B). Provided a specific transfer is documented in the above manner, the excess property need not be transferred to DLA Disposition Services. Other restrictions on transfer of certain categories of materiel are contained in **Attachment 2**.

USFOR-A shall retain a list of all items transferred to the GIRoA for audit purposes as required by DoD Instruction 5000.64, "Accountability and Management of DoD-owned Equipment and Other Accountable Property," and shall forward a copy on a monthly basis, through appropriate channels, to the DASD(SCI) with copies furnished to the DLA J-3 and to the Deputy Chief of Staff for Logistics for the Military Department/Service that previously had the transferred items on its property books.

I continue to support USFOR-A's critical assessment of potential ways to optimize the FEPP transfer process in Afghanistan. If you have any questions or require additional information, contact Mr. Robert McCullough, on my staff, at (703) 604-0098 X136, or robert.mccullough@osd.mil.

A handwritten signature in black ink, appearing to read 'A. Estevez', with a stylized flourish at the end.

Alan F. Estevez
Principal Deputy

Attachments:
As Stated

Attachment 1

Possible relevant factors to consider and evaluate when documenting substantial benefit to be gained by the U.S. Government from transfer of Foreign Excess Personal Property in Afghanistan

Any transfer under the limits provided in this memorandum and authorized at your level must be accompanied by an analysis and documentation supporting same. Provided below are possible factors, set out in the form of the requisite determination that must be made, to consider and evaluate when documenting substantial benefit to be gained by the U.S. Government from Foreign Excess Personal Property transferred in Afghanistan. This list is neither all inclusive nor mandatory; other factors or rationales may support potential transfers:

In consideration of the operational environment, it is determined that this transfer is in the interest of the United States and will substantially benefit the U.S. Government in accordance with 40 U.S.C. 704(b)(2)(B). These transfers offer tangible, appreciable benefits by allowing USFOR-A activities to transfer items appropriately and efficiently to Afghan Government entities that will obtain a direct benefit from such items:

- USFOR-A will avoid substantial logistics and transportation costs for the potential return of these non-weapon items, most of which are used and of fairly low value.

- If transferred extremely limited transportation assets will not be needed to retrograde these items out of country.

- USFOR-A will avoid ultimate disposal costs for items where there is no other disposal outlet.

- This transfer will streamline the retrograde process by relieving departing military units of the expense and administrative burden of managing significant accumulations of excess, low-value, non-U.S. Munitions List/non-Commerce Control List items, allowing units to focus on higher-priority mission tasks.

- This transfer will alleviate unit transportation costs, since the recipient Afghan entities will bear the transportation expense.

- This transfer will foster favorable relations between the United States and Afghanistan at the federal, provincial, and local levels by enhancing Afghan Government institutional development and increasing its overall capabilities.

- This transfer will avoid potential delays in the drawdown of U.S. forces that could result from the significant logistical efforts involved in retrograding or selling such materials.

Attachment 2

Conditions for Approval of and Restrictions on Transfer of Fire, Safety, Medical and Spill Response Items Equipment

Restrictions as outlined in DoD 4160.21-M, Defense Material Disposition Manual, apply. All medical equipment must be cleaned and sanitized. Survival and Protective Equipment is not authorized for transfer without instruction to recipients regarding proper application, and the transferee shall be advised in writing that use of such equipment is at its own risk and the U.S. Government is relieved from any and all claims that may result from use of the equipment.

Restrictions on prescription safety and surgical devices and prescription, surgical telescopes apply. Psychodiagnostic test sets are not authorized for transfer.

Special Markings and procedures are required for radiation emitting products (includes noncertified color and black and white television receivers, noncertified microwave ovens, certified and noncertified diagnostic x-ray systems and their major components, certified and noncertified cabinet x-ray systems, noncertified laser products, noncertified cold-cathode gas discharge tubes under conditions of scrap or salvage, and any other noncertified electronic product for which FDA may issue a performance standard).

Authorizations for ambulances, fire rescue crash trucks, and other emergency vehicles, in general, are under the umbrella of authorized transfers. Medical components of those vehicles must adhere to conditions outlined in this section of the instructions. Unless otherwise indicated, all executed transfers of this equipment must continue to comply with policy guidance outlined in DoD 4160.21-M.

Conditions for Approval of Transfers of and Restrictions on Transfer of Morale, Welfare, and Recreation Equipment

Normally Morale, Welfare, and Recreation (MWR) equipment is purchased with non-appropriated funds (NAF). NAF property is currently only processed for Federal screening and is not eligible for transfer. NAF property is eligible for reutilization or transfers provided that the NAF activity waives reimbursement or negotiates reimbursement with the recipient. Therefore, MWR equipment can only be transferred if purchased with appropriated funds. After all policy requirements have been met, revalidation of usability and reliability apply for transfers in Afghanistan. Unless otherwise indicated, all executed transfers of MWR equipment must continue to comply with policy guidance outlined in DoD 4160.21-M.

Restrictions and Conditions for Transfer Authority for Communications Equipment

Approval authority, as outlined, for communications equipment is granted within legal and regulatory limitations, as described below, based on USFOR-A's assurance of compliance with

policies, which require cleansing of personally identifiable information (PII) prior to transfer. This approval authority does not apply to communications equipment on the United States Munitions List (USML) or the Commerce Control List (CCL). Communications equipment that requires special handling cannot be transferred in Afghanistan without meeting specified conditions.

According to the Director of Administration and Management, Department of Defense Senior Privacy Official Memorandum, "Safeguarding Against and Responding to the Breach of PII," September 21, 2007, PII is information about an individual that identifies, links, relates, or is unique to or describes him or her. Examples of PII include but are not limited to Social Security number; age; military rank; civilian grade; marital status; race; salary; home/office phone number; and other demographic, biometric, personnel, and medical information.

Although PII does not meet the presently published definition of sensitive information in DoD Instruction 5000.64, the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics Memorandum, "Control of Information Technology Property Containing Sensitive Information," September 8, 2008, expands the definition to include PII. Additionally, DoD Memorandum, "Department of Defense (DoD) Guidance on PII," August 18, 2006, provided that "DoD Components are directed to ensure that all PII not explicitly cleared for public release is protected according to the Confidentiality Level Sensitive," as established in DoD Instruction 8500.2, "Information Assurance (IA) Implementation," February 6, 2003.

The Office of Management & Budget (OMB) has also recognized PII as a critical area in OMB-M-006, "Protection of Sensitive Agency Information", June 23, 2006, and OMB-M-06-19, "Reporting Incidents Involving Personally Identifiable Information and Incorporating the Cost for Security in Agency Information Technology Investments," July 12, 2006.

The Federal Information Security Management Act of 2002 requires all incidents involving breaches of PII to be reported to the U.S. Computer Emergency Readiness Team (US-CERT), an organization within the Department of Homeland Security, within one hour of discovering them. Notification must be provided in electronic or physical form, and distinction between suspected or confirmed breaches is not required. US-CERT will forward all reports to the Identity Theft Task Force within one hour of being notified by DoD.

Transfer of these items must comply with 47 U.S.C. 302a, which restricts out of band emissions and use of devices that interfere with radio reception. Transfers of radio frequency devices require special markings in that regard. 47 U.S.C. 501 and 502 prescribe general penalties for violations.

To mitigate risk, the USFOR-A must provide to ASD(L&MR) its prescribed process that ensures policy compliance prior to exercising authority to transfer at-risk communication equipment (e.g., cell phones, personal digital assistants (PDAs), networking devices (e.g., routers), copy machines, fax machines, magnetic disks (floppies, ATA Hard Drives, USB Removable Media (Pen Drives, Thumb Drives, Flash Drives, Memory Sticks with hard Drives), Zip Disks, etc.). The USFOR-A procedures must contain the process to be used to respond to breaches involving PII to minimize unauthorized disclosures and decrease potential for identity

theft. USFOR-A procedures must also ensure compliance with this policy and procedure. Upon receipt of procedures, the C3I communities in DoD, OMB, National Security Agency (NSA), Commerce Department, and other relevant departments and agencies with an interest must review and approve the effectiveness of those procedures. Under no circumstance will classified or unclassified information systems, or material containing classified or security material, be transferred under this modified and expanded authority. Restrictions for radio frequency devices also apply.

After all requirements have been met to ensure no unauthorized disclosure of information, revalidation of usability and reliability requirements applies prior to transfers in Afghanistan. Unless otherwise indicated, all executed transfers of communications equipment must continue to comply with policy guidance outlined in DoD 4160.21-M. Specifically, demilitarization and trade security control requirements will continue to apply. Only equipment items coded with Demilitarization Code "A" may be transferred. This policy modification provides no exceptions for equipment listed on the USML or the CCL. Equipment identified on those lists continues to be restricted from transfer.

Restrictions and Conditions for Re-consideration of Transfer Approval for Computers, Printers, Scanners, Copiers, and Other Office Equipment

Authority for transfers of computers, printers, scanners, copiers, and other office equipment is not granted but may be re-considered based on assurance of a process in place to restore usability and reliability after sensitive information and data are removed prior to transfer. Only computers with a demil code of "A" will be re-considered. Computers and ancillary equipment require special handling and cannot be transferred in Afghanistan. This includes any equipment or interconnected system or subsystem of equipment that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information by an executive agency, which is broadly described as computers, ancillary equipment, and commercial off-the-shelf (COTS) software.

For reconsideration, it would be important for a process to be in place to inspect all computer equipment and property prior to transfer for any "Secret", "Classified", "Confidential", and "Tempest or Hazardous" indicators. Some of the necessary procedures include but are not limited to: (1) Screening by or obtaining screening waiver from Defense Information Systems Agency (DISA); (2) Removal of memory sticks from other forms of computer equipment, i.e., handheld computers (e.g. palm pilots, organizers, etc.). Internal devices, (e.g., graphic, sound, network or controller cards), may remain in the Central Processing Unit (CPU); (3) Removal of the following media and cards from transferred computers: secure data cards, micro-drives, memory sticks, backup tapes, compact flash cards, smart card media, multi-media cards, CD-ROM media, Personal Computer Memory Card International Association (PCMCIA) cards, zip media and floppy disks; (4) Removal of toner cartridges from printers and plotters; (5) Sanitizing hard drives by degaussing prior to transfer. The sanitizing process destroys the inherent software. As a result, computers are not usable unless software can be replaced prior to transfer.

Therefore, the condition for reconsideration of transfer authority would require a process that ensures that computer equipment is sanitized and made usable again thereafter and prior to transfer. Procedures must be provided to ASD(L&MR) before approval authority is reconsidered. Practices would also include an operational statement or letter stating the CPU contains no classified, confidential or hazardous material. Stipulations cited for communications equipment apply to computers and peripherals as well. Upon receipt of the USFOR-A prescribed procedures, the C3I community in DoD, OMB, NSA, Commerce Department, and other departments and agencies with an interest must review and approve the effectiveness of those procedures.

Guidance for computers leaving the possession of DoD was provided in a Deputy Secretary of Defense Memorandum, "Disposition of Unclassified DoD Hard Drives," dated May 29, 2001. The Assistant Secretary of Defense, C3I, followed up as directed with issuance of detailed guidance in a memorandum on the same subject on June 4, 2001.

Under no circumstances will classified or unclassified information systems, or material containing classified or security material, be transferred under this modified and expanded authority. After all requirements have been met to ensure no unauthorized disclosure of information, revalidation of usability and reliability requirements applies prior to transfers in Afghanistan. No transfers of computers and ancillary equipment is permitted in accordance with policy guidance outlined in DoD 4160.21-M. This policy modification provides no exceptions for this equipment at this time.



LOGISTICS AND
MATERIEL READINESS

ASSISTANT SECRETARY OF DEFENSE
3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3500

JUN 4 2012

MEMORANDUM FOR DIRECTOR OF LOGISTICS, UNITED STATES CENTRAL
COMMAND

SUBJECT: Authority to Transfer Foreign Excess Personal Property (FEPP) from
Afghanistan to Other Countries in Central Asia

This responds to your memorandum of April 5, 2012, that requests authorization to transfer Foreign Excess Personal Property (FEPP) to surrounding Central Asian countries and other countries identified by United States Central Command (USCENTCOM) and identified to the Assistant Secretary of Defense for Logistics and Materiel Readiness (ASD(L&MR)) using the established guidelines set forth in my delegation of authority to Commander, U.S. Forces-Afghanistan (USFOR-A) of May 11, 2011. Based on the Government of the Islamic Republic of Afghanistan's (GIROA) limited ability to accept large amounts of FEPP and the potential expenses associated with retrograding, I concur that there is a need for this further authorization and approve your request.

As a reminder, only demilitarization code "A" items are eligible for transfer, and must comply with DoD4160.21-M. All transactions will be coordinated through and approved by the U.S. Embassy team in the recipient country. All FEPP transfers must be documented by an arrangement, memorandum of understanding, or a similar document that identifies, at a minimum, the items and their estimated depreciated value, as well as their ultimate destination, use, and disposition. Such documentation must include a determination that individual transfers are in exchange for substantial benefits in accordance with Title 40 U.S.C., Sec 704(b)(2)(B). USFOR-A will provide L&MR a monthly report on all FEPP transfers associated with this authorization.

Property screening for these additional countries will occur after the requirements of U.S. Forces, the Department of State, Coalition partners, and the GIROA requirements have been reviewed.

Except as modified by this memorandum, all other provisions contained in my memoranda of May 11, 2011, and January 23, 2012, remain in effect.



Alan F. Estevez



LOGISTICS AND
MATERIEL READINESS

ASSISTANT SECRETARY OF DEFENSE
3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3500

JUL 31 2012

MEMORANDUM FOR COMMANDING GENERAL, UNITED STATES FORCES –
AFGHANISTAN

SUBJECT: Request for Pre-Approval of Excess Declaration of Non-Standard Equipment.

This responds to your June 9, 2012, memorandum requesting pre-approval authority of items designated as excess for bases that are Tactical Infrastructure or smaller in accordance with the \$75,000 threshold established in my January 23, 2012, tiered delegation authority memorandum.

In consideration of the operational environment, host-country sustainment challenges, the need to maintain critical timelines for base closures and transfer actions, and to further the mission in Operation ENDURING FREEDOM, you are authorized to transfer, without further vetting, the property identified on the attached Pre-Approval List for Excess Non-Standard Equipment. This list of property is determined to be excess by the U.S. Military and the U.S. Embassy Kabul and is not economical to retrograde back to the United States.

As a reminder, only property coded with a Demilitarization Code of "A" may be transferred under this authority. Except as modified by this memorandum, all executed transfers must continue to comply with my January 23, 2012, memorandum and with DoD 4160.21-M. Additionally, USFOR-A shall continue to retain a list of all items transferred to the Government of the Islamic Republic of Afghanistan for audit purposes as required by DoD Instruction 5000.64, "Accountability and Management of DoD Equipment and Other Accountable Property," and shall forward a copy on a monthly basis through appropriate channels to the Deputy Assistant Secretary of Defense for Supply Chain Integration(DASD(SCI)), with copies furnished to the Defense Logistics Agency J-3 and to the Deputy Chief of Staff for Logistics for the Military Department/Service that previously had the transferred items on its property books.

I continue to support USFOR-A's critical mission in Afghanistan and have every confidence this change will help optimize the Federal Excess Personal Property transfer process in Afghanistan. If you have any questions or require additional information, please contact Mr. Jeff Garrett, Office of the DASD(SCI), at 571-372-5257 or Jeff.Garrett@osd.mil.

Alan F. Estevez

Attachment:
As stated

Enclosure One: Pre-Approval List for Excess Non-Standard Equipment

1. Containerized housing Units (CHUs) and Re-locatable Buildings (RLBs)
 - a. Billeting
 - b. Latrines/Showers
 - c. Laundry
 - d. Aid Station
 - e. Storage
 - f. Offices
2. Force Protection Equipment
 - a. All types of barriers (e.g. Alaska, Colorado, Jersey, and T-Walls)
3. Bulk Water Tanks (Above ground-All sizes)
4. Bulk Plastic and Metal Fuel Tanks (Above Ground-All Sizes)
5. Mattresses
6. Air Conditioner Units
7. Generators (30Kw or smaller-Non MILSPEC)
8. Refrigerators (All Sizes)
9. Freezers (All Sizes)
10. Beds
11. Office Equipment
 - a. Safes
 - b. Tables
 - c. Desks
 - d. Chairs
 - e. Filing cabinets
 - f. Book Shelves
12. Wall Lockers
13. Tents (soft shell not in original packing and hardened spray foamed)
14. DFAC Equipment
 - a. Appliances
 - b. Table
 - c. Chairs
 - d. Tableware
 - e. Flatware
 - f. Dishes
 - g. Accoutrements
15. Laundry Equipment
 - a. Washing Machines
 - b. Clothes Dryers
16. Air Compressors
17. Untreated Wood



LOGISTICS AND
MATERIEL READINESS

ASSISTANT SECRETARY OF DEFENSE
3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3500

SEP 27 2012

MEMORANDUM FOR COMMANDING GENERAL, UNITED STATES FORCES-A
AFGHANISTAN (USFOR-A)

SUBJECT: Authority to Transfer Armored Non-Tactical Vehicles to Afghanistan

This responds to our August 17, 2012, discussion regarding USFOR-A authority to transfer excess armored non-tactical vehicles (NTVs) to the Government of the Islamic Republic of Afghanistan (GIROA). The Department of Commerce (DoC) Bureau of Industry and Security has granted an export license, D493038, (see enclosure) to the Department of Defense for an in-country transfer of 2000 armored NTVs (Chevrolet Suburbans, Ford Expeditions and Toyota Land Cruisers) to the GIROA for Government security.

Armored NTVs are export controlled by the Export Administration Regulation, are Demil Code Q, and normally cannot be transferred as Foreign Excess Personal Property (FEPP). However, with the granted export license, this memo authorizes USFOR-A to use the FEPP process to transfer 2000 armored NTVs to GIROA. Specifically, USFOR-A will transfer the NTVs subject to written authorization from the U. S. Embassy Kabul, and must meet the following conditions as stated on the export license:

1. In-country transfer of 2000 vehicles controlled under the Export Administration Regulation, ECCN 9A018.B for the United States Government (USG) to the GIROA.
2. Remove all military radios, gun mounts, communications equipment, night vision equipment, and other United States Munitions List Items (USMLI) and Commerce Control List Item (CCLI) before transfer to the GIROA.
3. No further resale, transfer or re-export of these vehicles outside of the GIROA without the prior authorization of the USG.
4. Applicant (USFOR-A) must inform the consignee of all license conditions.

Included with this memorandum is a copy of the Export License which is valid through August 31, 2014. If you have any questions or require additional information, my point of contact is Jeff Garrett at 571-372-5257 or via email at Jeff.Garrett@osd.mil.


Alan F. Estevez



LOGISTICS AND
MATERIEL READINESS

ASSISTANT SECRETARY OF DEFENSE
3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3500

MAY 7 2013

MEMORANDUM FOR DEPUTY COMMANDER, SUPPORT, UNITED STATES FORCES -
AFGHANISTAN

SUBJECT: Request Authority to Waive "Where Is" Provision of "As-Is, Where-Is" Foreign
Excess Personal Property Policy for Class VIII Medical Supplies in Afghanistan

This responds to your memorandum of April 6, 2013, requesting the authority to waive the "where-is" provision of the "as-is, where-is" Foreign Excess Personal Property (FEPP) policy for Class VIII medical supplies in Afghanistan. In consideration of the cost to retrograde Class VIII medical supplies, the limited ability of Government of the Islamic Republic of Afghanistan (GIROA) to transport medical supplies, and the benefits derived from enhanced medical care for the Afghan people and reduced destruction of excess serviceable medical supplies, I concur with your request, subject to the conditions set forth below.

In accordance with DoD 4160.21-M, Chapter 6, Paragraph A.3, FEPP is transferred on an "as-is, where-is" basis. However, U.S. Forces-Afghanistan (USFOR-A) may either (1) transport the supplies on a space-available basis or arrange for other transportation that would be at no additional cost to DoD (e.g. having an NGO transport the medical supplies) or (2) expend funds under the Commander's Emergency Response Program (CERP) to transport excess Class VIII medical supplies to an Afghan hospital. CERP-funded transportation costs to transfer such Class VIII medical supplies should not exceed the cost to return the property to the United States.

Transfers of excess Class VIII medical supplies must be in accordance with the requirements of 40 U.S.C. § 704(b)(2)(B). Each FEPP transfer of Class VIII medical supplies to the GIROA must be supported by a determination that the benefit gained by the U.S. Government will be tangible, appreciable, and commensurate with the value of the property authorized for transfer plus any CERP-funded transportation expenses incurred in the transfer.

All other terms and conditions of my memorandum, "Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) in Afghanistan," dated May 11, 2011, remain in effect.

My point of contact is Mr. Randy Kendrick, SCL at 571-372-5202 or randal.kendrick@osd.mil.



Alan F. Estevez

cc:
USCENTCOM J-4



LOGISTICS AND
MATERIEL READINESS

ASSISTANT SECRETARY OF DEFENSE

3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3500

JUL 11 2013

MEMORANDUM FOR COMMANDER, UNITED STATES FORCES – AFGHANISTAN

SUBJECT: Transfer of Needed Class IX Repair Parts to the Government of the Islamic Republic of Afghanistan

U.S. Commanders mentoring Afghan Forces have noted that Afghan Forces have a critical need for U.S. class IX repair parts to sustain their equipment, with special emphasis on HMMWV parts. We are committed to supporting your request as expeditiously as possible, as it is in the best interest of the United States to improve the readiness of the Afghan National Army. The attached list of class IX repair parts will be provided through a combination of foreign excess personal property (FEPP) and ongoing foreign military sales (FMS) acquisition.

The Army will continue to assess demand at supply support activities in order to identify potential excess. The Defense Logistics Agency (DLA) will identify, segregate, and repackage excess parts on hand in Afghanistan with demilitarization code "A" for reutilization by U.S. Forces – Afghanistan (USFOR-A) and subsequent transfer to the Government of the Islamic Republic of Afghanistan (GIROA) as FEPP. USFOR-A will transfer excess parts in Afghanistan with demilitarization code "A" to GIROA using the FEPP authority delegated in my memoranda of May 11, 2011, "Authority to Transfer U.S. Foreign Excess Personal Property in Afghanistan," and January 23, 2012, "Tiered Delegation Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) as Part of Base Closures and Individual Equipment Transfers."

The Combined Security Transition Command – Afghanistan (CSTC-A) will continue to requisition any remaining required parts and any parts with a demilitarization code other than "A" through an existing FMS case in coordination with the Defense Security Cooperation Agency. DLA will expedite the delivery of parts and provide a consolidation point for parts sourced and repackaged in Afghanistan prior to delivery to CSTC-A. CSTC-A will provide guidance for packaging and consolidation to DLA to ensure that parts that are received can be expeditiously inventoried and made available to the Afghan Forces.

My point of contact is Mr. Randy Kendrick, SCI, at 703-692-0253 or randal.kendrick@osd.mil.

Alan F. Estevez

cc:
DIRECTOR, DLA
DIRECTOR, DSCA
COMMANDER, CSTC-A
U.S. CENTRAL COMMAND, J4

Attachment 1

NSN	NOMENCLATURE	U	QTY	DE MIL
2920-01-188-3863	Glow Plug	EA	905	A
2530-01-568-4462	Parts Kit, Shoe Brake	KT	250	A
2530-01-567-0893	Rotor, Disc Brake	EA	408	A
6220-01-193-1970	Headlight Assy	EA	567	A
2520-01-489-0850	Transmission, Hydraulic, Veh	EA	350	Q6
2610-01-333-7632	Tire, Pneumatic, Vehicular	EA	204	A
2530-01-477-4194	Brake Shoe Set	SE	221	A
2510-01-432-3338	Hood, Engine Compartment	EA	170	Q6
2815-01-148-3771	Flywheel, Engine	EA	163	A
2815-01-439-8164	Engine, With Container	EA	149	A
3030-01-488-5606	Belt, Serpentine	EA	110	A
2530-01-461-4732	Rotor, Disc Brake	KT	103	A
2530-01-568-5097	Cylinder Assy, Hydraulic Brake	EA	88	A
2920-01-420-9968	Generator, Engine Accessory	EA	45	Q6
2910-01-168-7905	Pump, Fuel, Cam Actuated	EA	80	A
2520-01-478-0306	Shaft, Axle, Automotive	EA	77	A
4130-01-539-6297	Compressor, Refrig	SE	60	A
2520-01-498-9279	Modulator, Transmiss	EA	177	A
2530-01-204-2583	Brake Caliper Assembly, FR/ RR	EA	144	A
2530-01-333-8263	Caliper Assembly, Disc Brake, Rear, RH	EA	144	A



LOGISTICS AND
MATERIEL READINESS

ASSISTANT SECRETARY OF DEFENSE
3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3500

JUL 16 2013

MEMORANDUM FOR DEPUTY COMMANDER FOR SUPPORT, UNITED STATES
FORCES – AFGHANISTAN

SUBJECT: Request to Adjust Tiered Delegation of Authority for Foreign Excess Personal
Property in Afghanistan

This responds to your June 29, 2013, memorandum requesting an adjustment to the foreign excess personal property (FEPP) tiered delegation of authority in Afghanistan. In support of the drawdown, I approve your request.

Authorization to transfer all property that qualifies as FEPP (not real property) associated with base closures and/or non-base closures to the Government of the Islamic Republic of Afghanistan may be accomplished at the dollar thresholds and command levels listed below:

Individual Depreciated Value
\$0 – \$75,000.00
\$75,000.01 – \$500,000.00
\$500,000.01 – \$30,000,000.00

\$30,000,000.01 – Above

Minimum Approval Authority
O-5 Level Commander
O-6 Level Commander
Commander, United States
Forces – Afghanistan (USFOR-A) or
Deputy Commander for Support,
USFOR-A
Assistant Secretary of Defense for
Logistics and Materiel Readiness

All other terms and conditions of my memoranda of May 11, 2011, "Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) in Afghanistan," and January 23, 2012, "Tiered Delegation Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) as Part of Base Closures and Individual Equipment Transfers," remain in effect.

My point of contact is Mr. Randy Kendrick, SCI, at 703-692-0253 or randal.kendrick@osd.mil.


Alan E. Estevez

cc:
USCENTCOM J-4



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PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE
3015 DEFENSE PENTAGON
WASHINGTON, DC 20301-3015

DEC 19 2013

MEMORANDUM FOR DEPUTY COMMANDER, SUPPORT, UNITED STATES FORCES –
AFGHANISTAN

SUBJECT: Request for Pre-Approval of Excess Expendable Class VIII Medical Supplies

This letter responds to your December 7, 2013, memorandum requesting the addition of excess Class VIII expendable medical supplies to the Pre-Approval List for Excess Non-Standard Equipment that can be transferred as Foreign Excess Personal Property (FEPP) to the Government of the Islamic Republic of Afghanistan (GIROA). I approve your request to add excess Class VIII expendable medical supplies to the Pre-Approval List to expedite the transfer of medical supplies and increase to the survivability of Afghans.

Nonexpendable and durable Class VIII must still be vetted as medical equipment shortages remain a challenge for both U.S. Military units and the Department of State. Additionally, the Army requires recapitalization of certain pieces of medical equipment. The vetting process for nonexpendable and durable Class VIII ensures this equipment is properly dispositioned.

As a reminder, only property coded with a Demilitarization Code of "A" may be transferred under this authority. Except as modified by this memorandum, all executed transfers must comply with my July 31, 2012, memorandum, "Request for Pre-Approval of Excess Declaration of Non-Standard Equipment," and policy guidance outlined in DoD 4160.21-M "Defense Materiel Disposition Manual". Additionally, United States Forces – Afghanistan shall continue to retain a list of all items transferred to the GIROA for audit purposes and shall forward a copy on a monthly basis through appropriate channels to the Deputy Assistant Secretary of Defense for Supply Chain Integration, with a copy furnished to the Deputy Chief of Staff for Logistics for the Military Department that previously had the transferred FEPP on its property books.

My point of contact is Mr. Randy Kendrick, L&MR/SCI, at 571-372-5202 or randal.s.kendrick.civ@mail.mil.

Alan F. Estevez



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APR 11 2014

**MEMORANDUM FOR DEPUTY COMMANDER, SUPPORT, UNITED STATES FORCES -
AFGHANISTAN**

SUBJECT: Authorization to Waive the Requirement to Document the Estimated Depreciated Value of Foreign Excess Personal Property on the Signed Joint Inventory for Transfers to the Government of the Islamic Republic of Afghanistan

This responds to your March 12, 2014, request for an exception to policy to authorize you to waive the requirement to document the depreciated value of foreign excess personal property (FEPP) on the signed joint inventory (SJI) for transfers to the Government of the Islamic Republic of Afghanistan (GIROA).

In order to facilitate the base turnover process, I approve your request for authorization to waive the requirement set forth in my memorandum, "Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) in Afghanistan," dated May 11, 2011, that all FEPP transfers document "items and their estimated depreciated value." This waiver should only be used in instances where the designated representative of the GIROA declines to sign the SJI listing the estimated depreciated value of the items.

U.S. Forces- Afghanistan (USFOR-A) will continue to document the estimated depreciated values of the items transferred and will include these as an addendum to the FEPP package for audit purposes. USFOR-A will provide a monthly report on all FEPP transfers to the Deputy Assistant Secretary of Defense for Supply Chain Integration. All other terms and conditions of DoD 4160.21-M and my memorandum of May 11, 2011, including the requisite documentation of a determination that individual transfers are in exchange for substantial benefits, remain in effect.

My point of contact is Mr. Randy Kendrick, OASD(L&MR) at 571-372-5202 or randal.s.kendrick.civ@mail.mil.


Alan F. Estevez



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WASHINGTON, DC 20301-3015

MAY 28 2014

MEMORANDUM FOR DEPUTY COMMANDER, SUPPORT, UNITED STATES FORCES -
AFGHANISTAN

SUBJECT: Authorization to Transfer UP to 100 Ten-Meter Dynatowers as Foreign Excess
Personal Property to the Government of the Islamic Republic of Afghanistan
National Security Forces

This responds to your requests of February 18, 2014, and March 24, 2014, for a waiver to permit transfer of Dynatowers as Foreign Excess Personal Property (FEPP) to the Government of the Islamic Republic of Afghanistan (GIROA). On May 13, 2014, the Department of State (DOS) Bureau of Political and Military Affairs (PM) concurred with the transfer of up to 100 ten-meter Dynatowers to the GIROA National Security Forces (see attached). On the basis of the attached DOS PM concurrence, I authorize use of the FEPP process to transfer up to 100 ten-meter Dynatowers to the GIROA National Security Forces, using the established guidelines and conditions set forth in my memorandum, "Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) in Afghanistan," dated May 11, 2011.

The Dynatower has been designated as demilitarization Code D, is a defense article on the U.S. Munitions List (22 C.F.R. §121), and may not be transferred as FEPP without the concurrence of the DOS Bureau of Political-Military Affairs (PM), Office of Regional Security and Arms Transfers (RSAT), which was provided in the attached DOS PM memorandum of May 13, 2014.

Transfers must be documented by an arrangement, memorandum of understanding, or a similar document that identifies, at a minimum, the item and its estimated depreciated value, as well as its ultimate destination, use, and disposition. Such documentation must include a determination that individual transfers are in exchange for substantial benefits in accordance with 40 U.S.C. §704(b)(2)(B).

United States Forces- Afghanistan (USFOR-A) will retain a list of all items transferred for audit purposes, as required by Department of Defense (DoD) Instruction 5000.64, "Accountability and Management of DoD Equipment and Other Accountable Property." USFOR-A will provide a monthly report on all FEPP transfers to the Deputy Assistant Secretary of Defense (DASD) for Supply Chain Integration (SCI). All other terms and conditions of DoD 4160.21-M, and my memorandum of May 11, 2011, remain in effect.

My point of contact is Mr. Randy Kendrick, Office of the Assistant Secretary of Defense for Logistics and Materiel Readiness, at 571-372-5202, or randal.s.kendrick.civ@mail.mil.

Alan F. Estevez

Attachment:
As stated



United States Department of State

Washington, D.C. 20520

MAY 13 2014

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ACTION MEMO FOR ASSISTANT SECRETARY TALWAR (PM)

FROM: PM – Vangala S. Ram

SUBJECT: Transfer of up to 100 Ten-Meter Dynatowers to the Government of the Islamic Republic of Afghanistan's National Security Forces

Recommendation

That you concur with the transfer of up to 100 ten-meter Dynatowers to the Government of the Islamic Republic of Afghanistan's (GIROA) National Security Forces.

Approve PM Disapprove _____

Background

The Deputy Commander for Support, U.S. Forces – Afghanistan (USFOR-A) is seeking State concurrence on transferring up to 100 ten-meter armored guard towers (Dynatowers) to the Afghan National Security Forces (ANSF) (Tab 1 and Tab 2). There are 41 towers at various unclassified locations in each of the Regional Commands in Afghanistan (Tab 3). Additional towers are located at classified special operations bases and other U.S. government agency locations. Towers of this type are effective for critical facility defense, and are sufficiently armored to protect friendly forces against most insurgent attacks (Tab 4). USFOR-A has determined that transferring these towers to Afghan forces will enhance their ability to protect key infrastructure and support International Security Assistance Forces (ISAF) retrograde operations, and will advance bilateral relations between the United States and Afghanistan at the national, provincial, and local levels. Acting Assistant Secretary Kelly concurred with the transfer of one Dynatower to the Afghan National Security Forces (ANSF) based out of Azizullah on February 14, 2014 (Tab 5)

The Department of Defense (DoD) will transfer this property pursuant to 40 U.S.C. § 704, which authorizes the transfer of foreign excess personal property (FEPP) in exchange for "substantial benefit." In accordance with 40 U.S.C. § 701, the head of the executive agency shall dispose of FEPP "in a manner that conforms to the

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- 2 -

foreign policy of the United States." In December 2011, Deputy Secretary Nides determined that the Department of Defense's authority to transfer FEPP, in accordance with 40 U.S.C. § 701, to the Afghan government and ANSF, is in conformity with U.S. foreign policy, and also referred specific proposals to Embassy Kabul for concurrence on a case-by-case basis (Tab 6). Embassy Kabul has provided concurrence for this proposed transfer.

The ten-meter Dynatower is included on the United States Munitions List (USML), though it is not designated as significant military equipment (SME) because of the level of armor integrated into it. As DoD considers the tower to be FEPP, State approval is not required beyond the 40 U.S.C. § 701 State foreign policy determination referenced above. However, as the item is on the USML, DoD and State have agreed to coordinate on these types of transfers as a matter of policy and best practice. Your concurrence is sought pursuant to this coordination process.

If you concur in this transfer, RSAT will notify the appropriate official at USFOR-A.

Attachments:

- Tab 1 – United States Forces, Afghanistan, dated March 24, 2014
- Tab 2 – United States Forces, Afghanistan, dated February 18, 2014
- Tab 3 – Map of unclassified Dynatower locations
- Tab 4 – Dynatower Brochure
- Tab 5 - Kelly Action Memo to Concur with Transfer of One Ten-Meter Dynatower to the GIRoA, dated February 14, 2014
- Tab 6 – Nides Foreign Policy Determination on Authority to Transfer Property to the GIRoA, dated December 23, 2011

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AUG 19 2014

MEMORANDUM FOR DEPUTY COMMANDER, SUPPORT, UNITED STATES
FORCES-AFGHANISTAN

SUBJECT: Request to Adjust Tiered Delegation of Authority for Foreign Excess Personal
Property in Afghanistan

This responds to your August 9, 2014, memorandum requesting an increase to the tiered delegation of authority for foreign-excess personal property (FEPP) in Afghanistan. In order to facilitate the transfer of FEPP to the Government of the Islamic Republic of Afghanistan (GIROA), I approve your request.

Authorization to transfer all property that qualifies as FEPP (not real property) associated with base closures or non-base closures to the GIROA may be accomplished by the Commander or Deputy Commander for Support, U.S. Forces-Afghanistan (USFOR-A) at the dollar thresholds listed below:

<u>Base</u>	<u>Depreciated Dollar Value Authorized</u>
Shindand	\$80,000,000
Leatherneck	\$60,000,000
Bagram	\$200,000,000
Kandahar	\$180,000,000

Any transfers above the depreciated dollar values authorized above will require approval by the Assistant Secretary of Defense for Logistics and Materiel Readiness. USFOR-A will retain a list of all items transferred to the GIROA for audit purposes, as required by Department of Defense Instruction (DoDI) 5000.64, and provide a monthly report on all FEPP transfers to the Deputy Assistant Secretary of Defense for Supply Chain Integration. All other terms and conditions of DoDI 4160.21-M and my May 11, 2011, memorandum, "Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) in Afghanistan," including the requisite documentation of a determination that individual transfers are in exchange for substantial benefits, remain in effect.

My point of contact is Mr. Randy Kendrick, OASD(L&MR), at 571-372-5202 or randal.s.kendrick.civ@mail.mil.


Alan F. Estevez



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SEP 04 2014

MEMORANDUM FOR DEPUTY COMMANDER, SUPPORT, UNITED STATES FORCES -
AFGHANISTAN

SUBJECT: Request to Transport T-Walls in Kandahar Province for Donation to the Afghan
National Security Forces

This responds to your August 20, 2014, memorandum requesting authority to transport 100 T-walls located at Kandahar Airfield for donation to the Afghan National Security Forces (ANSF). Your request to transport the 100 T-walls is approved. Additionally, I approve the transport of any additional T-walls located in Afghanistan, provided that the total cost to transport the T-walls to the nearest disposal site and dispose of them would exceed the cost to transport the T-walls to an alternate location designated by the ANSF. It is noted that, as stated in your memorandum, the donation of the T-walls to the ANSF would strengthen the ANSF and improve force protection.

The transfer of excess T-walls to the ANSF must be in accordance with the requirements of 40 U.S.C. § 704(b)(2)(B) and must be supported by a determination that the benefit gained by the U.S. Government will be tangible, appreciable, and commensurate with the value of the property authorized for transfer plus any transportation expenses incurred in the transfer.

U.S. Forces – Afghanistan will retain a list of all items transferred to the Government of the Islamic Republic of Afghanistan for audit purposes as required by Department of Defense (DoD) Instruction 5000.64 and provide a monthly report on all FEPP transfers to the Deputy Assistant Secretary of Defense for Supply Chain Integration. All other terms and conditions of DoD 4160.21-M and my May 11, 2011, memorandum, "Authority to Transfer U.S. Foreign Excess Personal Property (FEPP) in Afghanistan," including the requisite documentation of a determination that individual transfers are in exchange for substantial benefits, remain in effect.

My point of contact is Mr. Randy Kendrick, OASD(L&MR), at 571-372-5202 or randal.s.kendrick.civ@mail.mil.


Alan F. Estevez